

RESOLUTION NUMBER 3223

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, TENTATIVE TRACT MAP 30773 (0223) SUBDIVIDING 19.5 ACRES OF LAND AT THE SOUTHEAST CORNER OF RIDER STREET AND EVANS ROAD INTO 89 SINGLE FAMILY LOTS WITHIN THE R-5,400 ZONING DESIGNATION OF THE MAY RANCH SPECIFIC PLAN, AND A 12-ACRE DETENTION BASIN SOUTH OF THE PROJECT SITE, AND MAKING FINDINGS INSUPPORT THEREOF

WHEREAS, on July 3, 2003, an application was filed by KB Home Coastal, Inc. for Tentative Tract Map 30773 (03-0223) to subdivide approximately 19.5 acres of vacant land into 89 single family lots at the southeast corner of Rider Street and Evans Road, and a 12-acre detention basin located immediately south of the project site that will be partially improved as a public park facility; and

WHEREAS, on March 17, 2004, the Planning Commission conducted a duly noticed public hearing on the proposed Tentative Tract Map 30773 (03-0223), considered testimony and materials in the staff report and accompanying documents, and unanimously recommended approval of the proposed project; and

WHEREAS, all legal prerequisites for the adoption of this resolution have occurred;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris, as follows:

Section 1. The above recitals are all true and correct.

Section 2. The City Council has previously reviewed and considered the environmental information for the project prior to taking action on the proposed tract map. Based on the analysis contained in the Initial Study, the City Council adopted Negative Declaration No. 2108 on May 28, 2002, identifying that the Tentative Tract Map would not have any significant adverse effects on the environment which were not previously evaluated by the certified Final Environmental Impact Report prepared for the original May Ranch Specific Plan (EIR 88-20, SCH 88012503). The City Council asserts that no new information or impacts have been identified that would require a subsequent or supplemental Environmental Impact Report or Negative Declaration and that this reflects the independent judgment of the Council.

Section 3. Based on the information contained in the staff report and accompanying plans and exhibits, the City Council hereby finds that:

- A. The proposed Tract Map is consistent with applicable general and specific plans;
- B. The design or improvements of the proposed subdivision is consistent with applicable general and specific plans;
- C. The site is physically suited for the type of development.
- D. The site is physically suitable for the proposed density of development.
- E. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- F. The design of the subdivision or the type of improvements will not cause serious public health problems.
- G. The design of the subdivision or the type of improvements will not conflict with easements of record or easements established by court judgment, acquired by the public at large, for access through or use of, property within the proposed subdivision.
- H. All requirements of the California Environmental Quality Act (CEQA) have been met.
- I. The discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by a California regional water quality control board pursuant to Division 7 (commencing with Section 13000) of the Water Code.

Section 4. The City Council hereby approves Resolution 3223 approving Tentative Tract Map 30773 (03-0223) based on the information and findings presented in the staff report, and subject to the attached Conditions of Approval.

Section 5. The City Council declares that should any provision, section, paragraph, sentence, or word of the Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of the Resolution shall remain in full force and effect.

Section 6. The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

Attachment: Exhibit A – Conditions of Approval

ADOPTED, SIGNED and **APPROVED** this 13th day of April, 2004.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3223 was duly and regularly adopted by the City Council of the City of Perris, at a regular meeting thereof held on the 13th day of April, 2004, and that it was so adopted by the following called vote:

AYES: Motte, Rogers, Yarbrough, Landers, Busch
NOES:
ABSENT:
ABSTAIN:

City Clerk, Margaret Rey

EXHIBIT "A"
(RESOLUTION NUMBER 3223)

CITY OF PERRIS
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING DIVISION

CONDITIONS OF APPROVAL

TENTATIVE TRACT MAP 30773

Tentative Tract Map Case No. 03-0223

April 13, 2004

PROJECT: Proposal to subdivide approximately 19.5 acres into 89 single-family residential lots within the R-5,400 zoning designation of the May Ranch Specific Plan, Phase 4. An average lot size of 5,857 square feet is proposed, and the project density is 4.7 dwelling units per gross acre. The project is located at the southeast corner of Rider Street and Evans Road. An approximate 12-acre existing detention basin is located immediately south of the project and will be partially improved as a public park facility. The applicant is KB Home Coastal Inc.

- 1. Approval Period.** In accordance with the Subdivision Map Act, the recordation of the final map shall occur within two (2) years from the approval date unless an extension is granted. Pursuant to the Subdivision Map Act and applicable provisions of May Ranch Specific Plan and Development Agreement, the applicant may apply for a maximum of five (5) one-year extensions, to permit additional time to record the final map. A written request for extension shall be submitted to the Planning Division a minimum of thirty (30) days prior to the expiration of Tentative Map approval
- 2. Final Map Submittal.** A final map application shall be submitted to the Planning Division with payment of appropriate fees for review and approval concurrently with application to the City Engineer.
- 3. City Codes.** The project shall comply with all local requirements of the City of Perris, as applicable, all disabled access requirements, and Municipal Code Titles 18 and 19, including all of the following R-5400 Development Standards from the May Ranch Specific Plan and Development Agreement:

 - Minimum Lot Size: 5,400 square feet
 - Minimum Lot Size (cul-de-sac/knuckle): 5,130 square feet
 - Maximum Lot Coverage: 60 percent
 - Minimum Lot Width: Average 60 feet
 - Minimum Lot Depth: Average 90 feet
 - Minimum Lot Frontage: 60 feet

- Minimum Lot Frontage (cul-de-sac/knuckle): 30 feet
4. **City Engineer.** The proposed project shall adhere to the requirements of the City Engineer as indicated in the Conditions of Approval dated February 17, 2004 (revised).
 5. **School District.** The proposed project shall comply with the provisions of the Val Verde School Unified District Mitigation Agreement.
 6. **Sheriff's Department.** The proposed project shall comply with all requirements of the Perris Police Department/Riverside County Sheriff.
 7. **Building Official/Fire Marshal.** The proposed project shall adhere to all requirements of the Building Official/Fire Marshal. Fire hydrants shall be located on the project site pursuant to the Building Official. Water, gas, sewer, electrical transformers, power vaults and separate fire/water supply lines (if applicable) must be shown on the final set of construction plans pursuant to the requirements of the Building Official.
 8. **Southern California Edison.** Prior to issuance of building permits, the applicant shall contact the area service planner (909 928-8323, Art Alvarado) for Southern California Edison (SCE) to complete the required forms prior to commencement of construction.
 9. **Residential Use and Development Restrictions.** The physical development of all lots shall be reviewed and approved by the city. Any use, activity, and/or development occurring on the site without appropriate city approvals shall constitute a code violation and shall be treated as such. Placement of any sales trailer or a model home shall require separate review and approval by the City.
 10. **Compatibility with March Air Reserve Base (MARB).** The project is located within the March ARB Airport Influence Zone and shall, therefore, comply with the following measures:
 - A. **Avigation Easement.** The applicant shall grant to the City of Perris and to the March Inland Port Airport Authority an avigation easement in the form and manner approved by the City Attorney and shall cause such easement to be duly recorded in the office of the County Recorder.
 - B. **Notice of Airport in the Vicinity.** A Notice of Airport in the Vicinity and aerial photograph identifying the location of March ARB and the project site shall be displayed and distributed in model homes at the project site. The following statement is required for distribution.

“NOTICE OF AIRPORT IN VICINITY

This property is located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those

annoyances can vary from person to person. You may wish to consider what airport annoyances associated with the property, if any, are acceptable to you prior to completing your purchase.”

C. **Disclosure.** The applicant shall provide full disclosure of the Avigation Easement and Notice of Airport in the Vicinity prior to the sale of individual properties within the project.

D. **Prohibited Uses:**

1. Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following take off or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
2. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
3. Any use which would generate excessive smoke or water vapor, attract large concentrations of birds, or otherwise affect safe air navigation in the area.
4. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
5. Any use involving the storage of explosives or flammable materials.
6. Any obstruction of the Federal Aviation Regulations, Part 77 Conical Surface.

11. Required Approvals. Prior to recordation of the Final Map, the developer shall obtain the following clearances or approvals:

- A. Verification from the Planning Division that all pertinent conditions of approval have been met, including any Administrative Development Plan Review approvals, as mandated by the Perris Municipal Code;
- B. Planning Commission approval of all proposed street names; and,
- C. Any other required approval from an outside agency.

12. Plans and CC&Rs. Prior to recordation of the Final Map, the developer shall submit

and obtain approvals on the following items:

- A. Public improvement plans to the City Engineer. These plans shall include but not be limited to street, drainage, utility improvements, and dedications in accordance with Municipal Code Title 18.
 - B. Any Covenants, Conditions, and Restrictions (CC&Rs) to the Planning Division and the City Attorney's office. Approved CC&Rs shall be recorded with the final map.
 - C. Grading plans to the City Engineer, demonstrating compliance with National Pollution Discharge Elimination System (NPDES) requirements. The plans shall include a Storm Water Pollution Prevention Plan detailing water quality management controls and identifying Best Management Practices (BMPs) to control pollutant runoff. The applicant shall identify measures specified in Supplement A of the Riverside County Drainage Area Management Plans New Development Guidelines or other equally effective standard for implementing project BMPs, assignment of long-term maintenance responsibilities (specifying the developer, parcel owner, lessee, etc.) and shall reference the location(s) of structural BMPs.
 - D. Four (4) sets of grading plan shall be submitted to the Planning Division for use in conjunction with the review and approval of landscape and fencing plans.
 - E. A revised parking lot detail for Lot B shall be submitted for review and approval prior to issuance of building permits.
 - F. The map shall be revised to provide sufficient area at all tract entrances to allow for the installation of Primary Entry Monumentation (Exhibit A) and Neighborhood Entry Monumentation (Exhibit B) as appropriate and as depicted in the May Ranch Specific Plan Exhibits for Phase 4.
 - G. The four (4) foot excess right of way along Rider Street shall be vacated in accordance with City regulations.
- 13. Water Resources Control Board.** Prior to issuance of Building Permits, the applicant shall submit a copy of the State Water Resources Control Board permit letter with the WDID number
- 14. Drainage Basin Park.** The proposed park improvements within the drainage basin south of Tentative Tract 30773 shall be consistent with the conceptual design prepared by Architerra Design Group (Exhibit C), and as provided for by the May Ranch Specific Plan Development Agreement. If the detention basin is not developed as a park, the basin bottom shall be lined with turf and the fence perimeter fully landscaped. All landscaping shall be served by automatic irrigation. The wetlands portion of the detention

basin shall be fenced from public access by a decorative tubular steel fence. Chain link fencing shall not be utilized.

15. Parking Area for Detention Facility Park (Lot B). Park parking shall be provided along Old Evans Road within the 24-foot wide storm drain easement subject to the following provisions:

- A. Approximately 45 parking stalls shall be provided at a 60 degree angle.
- B. An 8-foot wide landscape finger shall be provided for approximately every 10 parking stalls, and enhanced landscaping shall be provided adjacent to end parking stalls.
- C. A variable width sidewalk (up to 10 feet in width) with tree wells shall be provided adjacent to the curb.
- D. Between the perimeter wall and the sidewalk, a landscaped open space shall be provided.
- E. All landscaping shall be accordance with the requirements of the Riverside County Flood Control District.
- F. Street trees with canopies, such as the Modesto Ash, shall be provided in the design of landscape fingers and end planters, outside the easement area.
- G. Parking stalls shall be fully improved with curb and gutter, and a minimum of two (2) disabled access parking stalls shall be provided.
- H. Streetscape landscape design shall positively integrate the parking facility into the residential neighborhood and the park.
- I. All required landscaping shall be served by automatic irrigation.

16. Traffic Calming Measures. Methods shall be utilized for Old Evans Road between Rider Street south to Evans Road to sufficiently calm traffic in the vicinity of the park and parking area for the park facility as determined by the City Engineer.

17. Landscaping. Prior to issuance of building permits, the developer shall submit four (4) copies of construction level Landscape and Irrigation Plans to the Planning Division, accompanied by the appropriate filing fee. The plans shall be prepared by a registered landscape architect and include the location, number, genus species, and container size of the plants. Plants shall be consistent with Section 19.70 of the Perris Municipal Code. The cover page shall identify the total square footage of the landscaped area and note that it shall maintained in accordance with Section 19.70 of the City Code. Use of water efficient fixtures and drought tolerant plants is encouraged. For model home complexes at least one of the models should be landscaped utilizing xeriscape concepts. Additional

landscape requirements include front-yard landscaping and irrigation to be provided for all lots, and installation of landscaping, irrigation, and street trees along all arterial and collector road abutting the project. All slopes greater than two (2) feet in height shall be landscaped and irrigated regardless of location on the project site.

18. **Evans Road Landscape Design Guidelines.** The project shall substantially comply with the provisions of the Evans Road Landscape Design Guidelines, with the exception that the total right of way width for Evans Road adjacent to the project shall be 118 instead of 128 feet wide (in conformance to the updated General Plan Circulation provisions) per the May Ranch Specific Plan (Exhibit D) and Development Agreement.
19. **Landscaping of Storm Drain Facilities.** The grading, fencing, plant material, irrigation, and other aspects of landscape design shall positively integrate the detention basin into the residential neighborhood (Exhibit C). Fencing shall consist of high-quality tubular steel or decorative wrought iron that does not obstruct views into or through these facilities. Fencing shall maintain a streetscape that is consistent with single-family residential neighborhoods (10-20 foot setbacks), unless modified by the May Ranch Specific Plan or Development Agreement. Plant material shall incorporate species used in front-yards throughout the project, to further integrate these facilities into the design. The final use and design of these facilities includes joint recreational use and shall be subject to an Administrative Development Plan Review, subject to approval by the Director of Community Development (Exhibit C)
20. **Lots C and D.** Lot C shall receive appropriate monumentation, signage, landscaping and irrigation as provided for within the May Ranch Specific Plan. Lot D at the corner of Rider Street and Old Evans Road will receive park monumentation by the applicant.
21. **Pedestrian Access Points.** The applicant shall include a design detail of the pedestrian access points, including the park entrance, on the proposed Landscape Plan (as per Conditions No. 14 and 15, above). These facilities shall be effectively integrated into the development by employing fence, pavement, and plant materials used commonly throughout the development. Particular attention should be given to handicapped access, privacy for adjacent dwellings (i.e., adequate setbacks and landscape screens), and pedestrian safety (i.e., visibility and separation from steep slopes).
22. **Drainage Easement Landscaping.** Drainage easements across residential lots shall not straddle lot lines and are to be lined with Turfcrete or a similar open grid paver to permit turf growth and maintenance by the homeowner.
23. **Tract Identification.** The developer shall provide community entry statements, including theme walls, monumentation and enhance landscaping at each entrance to the tract on Old Evans Road and Evans Road. Additional area of dedication shall be provided at all tract entrances to allow the installation of disabled access features, wall and landscaping as depicted by the Primary Entry Monumentation and Neighborhood Entry Monumentation in the May Ranch Specific Plan Exhibits for Phase 4. Sufficient area is not currently shown on the tentative map. Theme walls and monuments shall not occur within the public right-of-

way.

- 24. Landscape Inspections.** The project applicant shall inform the on-site project or construction manager and the landscape contractor of their responsibility to call for landscape inspections. A minimum of three (3) landscape inspections are required in the following order, and the landscape inspection card shall be signed by the City's landscape inspector to signify approval at the following stages of landscape installation:

 - A. At installation of irrigation equipment, when the trenches are still open;
 - B. After soil preparation, when plant materials are positioned and ready to plant;
 - C. At final inspection, when all plant materials are installed and the irrigation system is fully operational.

- 25. Walls and Fences.** Prior to issuance of building permits, the developer shall submit and obtain approval from the Planning Division for a comprehensive fencing plan for the project. At a minimum, this plan shall include the following items:

 - A. A six-foot high, slumpstone wall around the perimeter of the project site, with the exception of the south side of Street A (see "c" below), and along entry drives into the tract. Pilasters shall be provided approximately every 120 to 150 feet coincident with interior lot corners along perimeter walls adjacent to collector and arterial streets. Slumpstone colors shall be coordinated with other block walls along the same street.
 - B. On the interior of the tract, a six-foot high, slumpstone wall shall be provided on all residential property lines where side or rear yards adjoin a public street, with pilasters at wall ends and centered midway between lots,
 - C. A six-foot high grade tubular steel or wrought iron fence shall be provided along the perimeter of the detention basin/public park; and on the interior to prevent public access to the wetlands portion of the basin,
 - D. Six-foot high, PVC fences on all other side and rear property lines throughout the project, except
 - E. Lot 33 shall have a slumpstone wall on the south portion of the rear yard, to join to the decorative tubular steel fence of the north side of the detention basin.

- 26. Fees.** The developer shall pay the following fees according to the timeline noted herein, or as otherwise indicated in the May Ranch Specific Plan and Development Agreement:

 - A. Prior to the issuance of building permits, the applicant shall pay Stephen's Kangaroo Rat Mitigation Fees of \$500.00 per acre;
 - B. Prior to the issuance of building permits, the applicant shall pay City

Development Impact Fees per the Development Agreement in effect at the time of development;

- C. Prior to the issuance of building permits, the applicant shall pay Multi-Species Habitat Conservation Plan fees in effect at that time;
- D. Prior to issuance of building permits, the applicant will comply with the provisions of the Val Verde School Unified District Mitigation Agreement for payment of fees;
- E. The applicant shall pay any outstanding development processing fees.

27. Construction Practices. To reduce potential noise and air quality nuisances, the following items shall be listed as "General Notes" on the construction drawings:

- A. Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and 7:00 p.m., on weekdays. Construction may not occur on weekends or State holidays, without prior consent of the Building Official. Non-noise generating activities (e.g., interior painting) are not subject to these restrictions.
- B. Stationary construction equipment that generates noise in excess of 65 dBA at the project boundaries must be shielded and located at least 100 feet from occupied residences. The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.
- C. Construction routes are limited to City of Perris designated truck routes.
- D. Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, or transportation of cut or fill materials to prevent dust from leaving the site and to create a crust after each day's activities cease. At minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
- E. A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such persons shall be provided to the City.

28. Energy Conservation. To improve local air quality, the applicant is encouraged to incorporate any or all of the following energy-conservation features into the project:

- Low NO_x water heaters per specifications in the Air Quality Attainment Plan;
- Heat transfer modules in furnaces;
- Light colored water-based paint and roofing materials;
- Passive solar cooling/heating; and,
- Energy efficient appliances and lighting.

29. **Underground Utilities.** All utilities such as cable TV and electrical distribution lines (including those which provide direct service to the project site and/or currently exist along public right-of-ways) adjacent to the site shall be placed underground, except for electrical utility lines rated at 65kv or larger.
30. **Unit Identification.** Each unit in the tract shall include a lighted address fixture. This fixture shall allow for replacement of the bulbs, and shall be reviewed and approved by the Planning Division.
31. **Phasing.** Any proposed Phasing Plan shall be reviewed and approved by the Planning Division and the City Engineer. Each Phase of the project shall provide adequate drainage and at least two points of access to all lots.
32. **Assessment Districts.** Prior to recordation of the Final Map, the developer shall annex into the Landscape Maintenance District and post an adequate maintenance performance bond to be retained by the City. The developer shall also annex the project into the North Perris Community Facilities Assessment District, Street Lighting, Flood Control, and Park Maintenance Districts of the City of Perris. As an addendum to the City Engineer-recommended conditions, the developer shall also be required to annex to a future Street Maintenance Community Facilities District.
33. **Disclosure Statements – Dam Inundation/March Air Reserve Base.** Prior to approval of final map, the developer shall record a disclosure on each lot and provide a disclosure to the purchaser of each lot that the project is within a dam inundation area and is subject to flooding in the event of a dam failure and shall provide an acknowledgement of this disclosure by each purchaser to the City. A similar disclosure shall be recorded and provided to each purchaser regarding potential noise impacts from March Air Reserve Base and the aviation easement granted to the City of Perris and to the March Inland Port Airport Authority.
34. **City-Approved Waste Hauling.** The developer shall use only the City-approved waste hauler for all construction and other waste disposal.
35. **Indemnification/Hold Harmless.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City. City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.

APPROVAL DATE

PROJECT PLANNER